

FILED: JAN 02 2012 10:00 AM
CLERK, U.S. DISTRICT COURT
FOR THE DISTRICT OF OREGON

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF OREGON

JAMES L. LESTER, JR.,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:06-CV-1575-PK

and Judgment
~~PROPOSED~~ ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings, including the following: the administrative law judge (ALJ) will re-evaluate the medical opinions of the State agency physicians, Drs. Jensen, McDonald, and Lahr; re-evaluate Plaintiff's RFC consistent with the medical evidence of record; and continue with the sequential evaluation, re-evaluating Plaintiff's ability to perform other work in the national economy with the assistance of vocational expert testimony, and; as appropriate, the vocational expert should be asked to resolve any discrepancies between jobs and the DOT pursuant to SSR 00-4p.

This remand is pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

DATED this 27th day of December, 2007.

Thomas M. Elsberry
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Thomas M. Elsberry
THOMAS M. ELSBERRY
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of Attorneys for Defendant